

Appl. No.: 10/737,040
Amdt. dated 10/11/2005
Reply to Office action of March 2, 2005

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REMARKS/ARGUMENTS

In the September 13, 2005 Office Action, the Examiner objected to the Reply filed June 22, 2005 as not complying with 37 C.F.R. § 1.111(c) because the reply allegedly (i) does not point out the patentable novelty of the original claim and (ii) does not point out specific distinctions believed to render the new claim patentable over the cited references. The Applicant respectfully traverses the Examiner's position, but nonetheless reiterates, in summary, the novelty of the original claim and the distinctions of the new claim. Additionally, the Applicant submits that the claimed subject matter is allowable and solicits an indication of allowability at an early date.

The Examiner rejected the claim as anticipated by U.S. Patents Nos. 6,257,538 to Pangborn *et al.* and 6,270,047 to Hudson. For the following reasons, the Applicant respectfully traverses the Examiner's findings and submit that the claimed subject matter is not anticipated by either of the cited references.

U.S. Patent No. 6,257,538 to Pangborn et al.

The Examiner alleged that the Pangborn patent discloses the claimed subject matter. The Applicant respectfully submits that the Examiner has misconstrued the claimed subject matter and thus has not made a *prima facie* showing that Pangborn anticipates the claimed subject matter. Specifically, the Applicant notes that Pangborn does not disclose, when the term is properly construed,

a first member having a plurality of surfaces mounted on the end of an auxiliary support mechanism distal to the mounting member of the auxiliary support mechanism, said first member having a first elongated slot on one of said first member surfaces

Element A of claim 1; nor does Pangborn disclose:

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a rotating member rotatably connected to said distal bracket in a manner effective to change the angle between the plane of said auxiliary shelf and an imaginary perpendicular drawn from said primary support structure when said rotating member rotates

Element G of claim 2.

In view of the above, the Applicant respectfully submits that he has pointed out:

(i) a patentable novelty of the original claim over Pangborn and (ii) a specific distinction believed to render the new claim patentable over Pangborn.

U.S. Patent No. 6,270,047 to Hudson

The Examiner also alleged that the Hudson patent discloses the claimed subject matter. The Applicant respectfully submits that the Examiner has misconstrued the claimed subject matter and thus has not made a *prima facie* showing that Hudson anticipates the claimed subject matter. Specifically, the Applicant notes that Hudson does not disclose, when the term is properly construed,

a first member having a plurality of surfaces mounted on the end of an auxiliary support mechanism distal to the mounting member of the auxiliary support mechanism, said first member having a first elongated slot on one of said first member surfaces

Element A of claim 1; nor does Hudson disclose:

a rotating member rotatably connected to said distal bracket in a manner effective to change the angle between the plane of said auxiliary shelf and an imaginary perpendicular drawn from said primary support structure when said rotating member rotates

Element G of claim 2.

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In view of the above, the Applicant respectfully submits that he has pointed out:

(i) a patentable novelty of the original claim over Hudson and (ii) a specific distinction believed to render the new claim patentable over Hudson.

The Applicant submits he has pointed out: (i) a patentable novelty of the original claim over each of the cited references as well as (ii) a specific distinction believed to render the new claim patentable over each of the cited references. The Applicant further submits that the claimed subject matter is allowable and solicits an indication of allowability at an early date.

Dated: October 11, 2005

Respectfully submitted,



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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (703) 872-9306 on the date shown below.



Walter Scott

October 11, 2005

Date